

REMARKS

In the Office Action, claims 21-40 have been restricted under 35 U.S.C. §121 between the following allegedly distinct Groups:

Group I: Claims 21-28, drawn to a package conveying device in a filling machine;
and

Group II: Claims 29-40, drawn to a method for conveying packages.

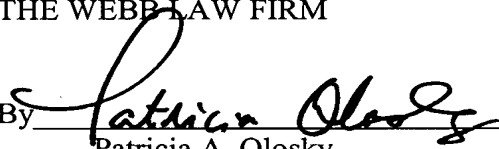
Group I of the present invention is directed to a package conveying device and Group II of the present invention is drawn to a method of conveying packages using the device of Group I. As such, Applicants respectfully traverse the restriction of Groups I and II on the grounds that Applicants believe a search with respect to Group I would be co-extensive with a search directed toward Group II and, therefore, would not pose an undue burden on the Examiner. However, should the Examiner maintain the restriction requirement as to Groups I and II, Applicants provisionally elect Group I for initial examination.

In view of the foregoing, withdrawal of the restriction requirement between Groups I and II is respectfully requested. Applicants reserve their right to file a divisional application or take such other appropriate measures as they deem necessary to protect the inventions lying within Group II.

Respectfully submitted,

THE WEBB LAW FIRM

By



Patricia A. Olosky

Registration No. 53,411

Attorney for Applicants

700 Koppers Building

436 Seventh Avenue

Pittsburgh, Pennsylvania 15219

Telephone: 412-471-8815

Facsimile: 412-471-4094

E-mail: Webblaw@webblaw.com